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June 6, 2003

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
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June 6, 2003 Date	 David L. Parker

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Re: *SN 09/840,722 entitled "COMBINATORIAL OLIGONUCLEOTIDE PCR: A METHOD FOR RAPID GLOBAL EXPRESSION ANALYSIS" by MacLeod et al.*  
Our ref: UTSC:607USC1 Client ref: MDA98-011 CON1

Commissioner:

Please find enclosed:

1. Amendment and Response to Official Action Dated March 12, 2003;
2. Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent;
3. Check in the amount of \$55 for filing the Terminal Disclaimer; and
4. A postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

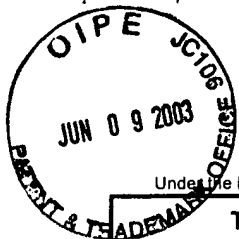
If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/UTSC:607USC1.

Very truly yours,

David L. Parker  
Reg. No. 32,165

DLP/lb  
Enclosures

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

UTSC:607USC1

In re Application of: MacLeod et al.

Application No.: 09/840,722

Filed: April 23, 2001

For: COMBINATORIAL OLIGONUCLEOTIDE PCR: A METHOD FOR RAPID, GLOBAL EXPRESSION ANALYSIS

The owner\*, Board of Regents, The University of Texas System, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,221,600. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

Signature

6/6/03

Date

David L. Parker, Reg. No. 32,165

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
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June 6, 2003 Date	 David L. Parker

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael C. MacLeod, Sara S. Gaddis and C.  
Marcelo Aldaz

Group Art Unit: 1634

Examiner: J. Taylor

Serial No.: 09/840,722

Atty. Dkt. No.: UTSC:607USC1/DLP

Filed: April 23, 2001

For: COMBINATORIAL  
OLIGONUCLEOTIDE PCR: A METHOD  
FOR RAPID, GLOBAL EXPRESSION  
ANALYSIS

**I. AMENDMENT; AND II. RESPONSE TO  
OFFICIAL ACTION DATED MARCH 12, 2003**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

This paper is submitted in response to the Office Action dated March 12, 2003, for which the three-month date for response is June 12, 2003.

It is believed that no fees are required. However, if any fees are required, the Examiner is authorized to deduct such fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/UTSC:607USC1.

Reconsideration of the application is respectfully requested.